



# **PLANNING COMMISSION AGENDA REPORT**

VII . 4

MEETING DATE: MARCH 12, 2007

ITEM NUMBER:

SUBJECT: TENTATIVE TRACT MAP T-17133  
2550 ELDEN AVENUE, COSTA MESA

DATE: MARCH 1, 2007

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER (714) 754-5611

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## **DESCRIPTION**

The applicant is requesting approval of a tentative tract map to facilitate the conversion of 7 vacant apartment units to a common interest development (condominiums) previously approved under Planning Application PA-06-55.

## **APPLICANT**

Agnes Enterprises, LLC is the property owner and project applicant.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP  
Senior Planner

R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

**BACKGROUND/DISCUSSION**

On October 9, 2006, the Planning Commission approved Planning Application PA-06-55 to convert 7 vacant apartment units to a common interest development (condominiums) on a 3-1 vote (Commissioner Fisler voted no; Commissioner Egan absent). A copy of the staff report for PA-06-55 is attached for reference.

The applicant is requesting approval of a tentative tract map to allow division of the units so that each unit can be sold separately. The map complies with the State Subdivision Map Act. The approval of PA-06-55 included conditions that require CC&Rs for common maintenance of the landscaping, driveway, and parking spaces.

**ALTERNATIVE**

If the map were denied, the applicant would not be able to file a similar request for six months. The project could be leased, but would be limited to a single ownership.

**GENERAL PLAN CONFORMITY**

The proposed subdivision affects only how the units may be sold; as a result, there will be no effect on the City's General Plan.

**ENVIRONMENTAL DETERMINATION**

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.

**CONCLUSION**

Staff does not anticipate any land use impacts as a result of the subdivision map. Approval of the tentative map will allow the legal subdivision for individual ownership purposes.

Attachments:      Draft PC Resolution  
                          Exhibit "A" - Draft Findings  
                          Exhibit "B" - Draft Conditions of Approval  
                          Location Map  
                          Parcel Map  
                          Staff Report for PA-06-55  
                          PC Resolution No. PC-06-78 for PA-06-55

cc:    Deputy City Mgr. - Dev. Svs. Director  
       Deputy City Attorney  
       City Engineer  
       Fire Protection Analyst  
       Staff (4)  
       File (2)

Agnes Enterprises, LLC  
1835 Newport Boulevard, A109-174  
Costa Mesa, CA 92627

File: 031207TTMT17133	Date: 022807	Time: 1:47 p.m.
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**RESOLUTION NO. 07-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING TENTATIVE TRACT  
MAP T-17133**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Agnes Enterprises, LLC authorized agent and property owner, requesting approval of a tentative tract map to facilitate the conversion of 7 vacant apartment units to a common interest development (condominiums) previously approved under Planning Application PA-06-55, located at 2550 Elden Avenue in an R2-MD zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 12, 2007;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** Tentative Tract Map T-17133 with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine the adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Tentative Tract Map T-17133 and upon the applicant's compliance with each and all of the conditions contained in Exhibit "B."

Any approval granted by this resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 12th day of March, 2007.**

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Donn Hall, Chair  
Costa Mesa Planning Commission

**RESOLUTION NO. 07-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA DENYING TENTATIVE TRACT MAP  
T-17133**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Agnes Enterprises, LLC authorized agent and property owner, requesting approval of a tentative tract map to facilitate the conversion of 7 vacant apartment units to a common interest development (condominiums) previously approved under Planning Application PA-06-55, located at 2550 Elden Avenue in an R2-MD zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on March 12, 2007;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Tentative Tract Map T-17133 with respect to the property described above.

**PASSED AND ADOPTED this 12th day of March, 2007.**

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Donn Hall, Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on March 12, 2007, by the following votes:

AYES:           COMMISSIONERS:

NOES:           COMMISSIONERS:

ABSENT:        COMMISSIONERS:

ABSTAIN:       COMMISSIONERS:

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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The subdivision complies with Costa Mesa Municipal Code Section 13-29 (e) because:
  - a. The subdivision is consistent with the General Plan.
  - b. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA, under Section 15315.
- C. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- D. The subdivision of the property for residential condominiums is consistent with the City's General Plan and Zoning Code.
- E. The proposed use of the subdivision is for residential ownership purposes which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- F. The subject property is physically suitable to accommodate Tentative Tract Map T-17133 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- G. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- H. The subdivision will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.
- I. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- |       |    |   |
|-------|----|---|
| PIng. | 1. | The applicant is reminded that all conditions of approval, code requirements, and special district requirements of Planning Application PA-06-55 shall be complied with.  |
|       | 2. | The applicant shall show proof of compliance with all applicable conditions of approval and code requirements prior to recordation of the final map. This condition shall be completed under the direction of the Planning staff. |
|       | 3. | Applicant shall contact the Building Safety Division, prior to recordation of the parcel map, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied.                                  |
| Eng.  | 4. | During construction, maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.                                |



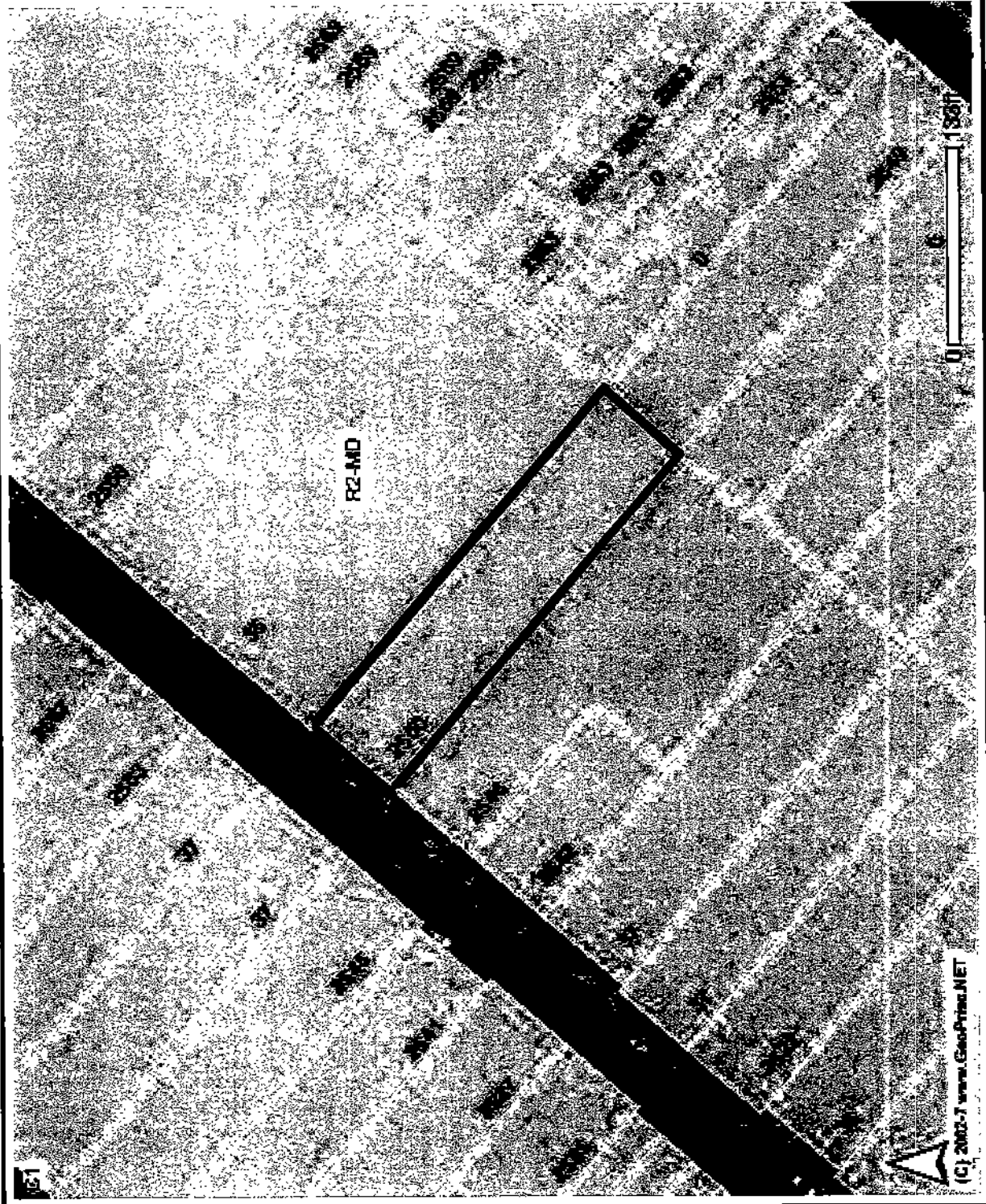
# City of Costa Mesa

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## Overview Map



## Map Display



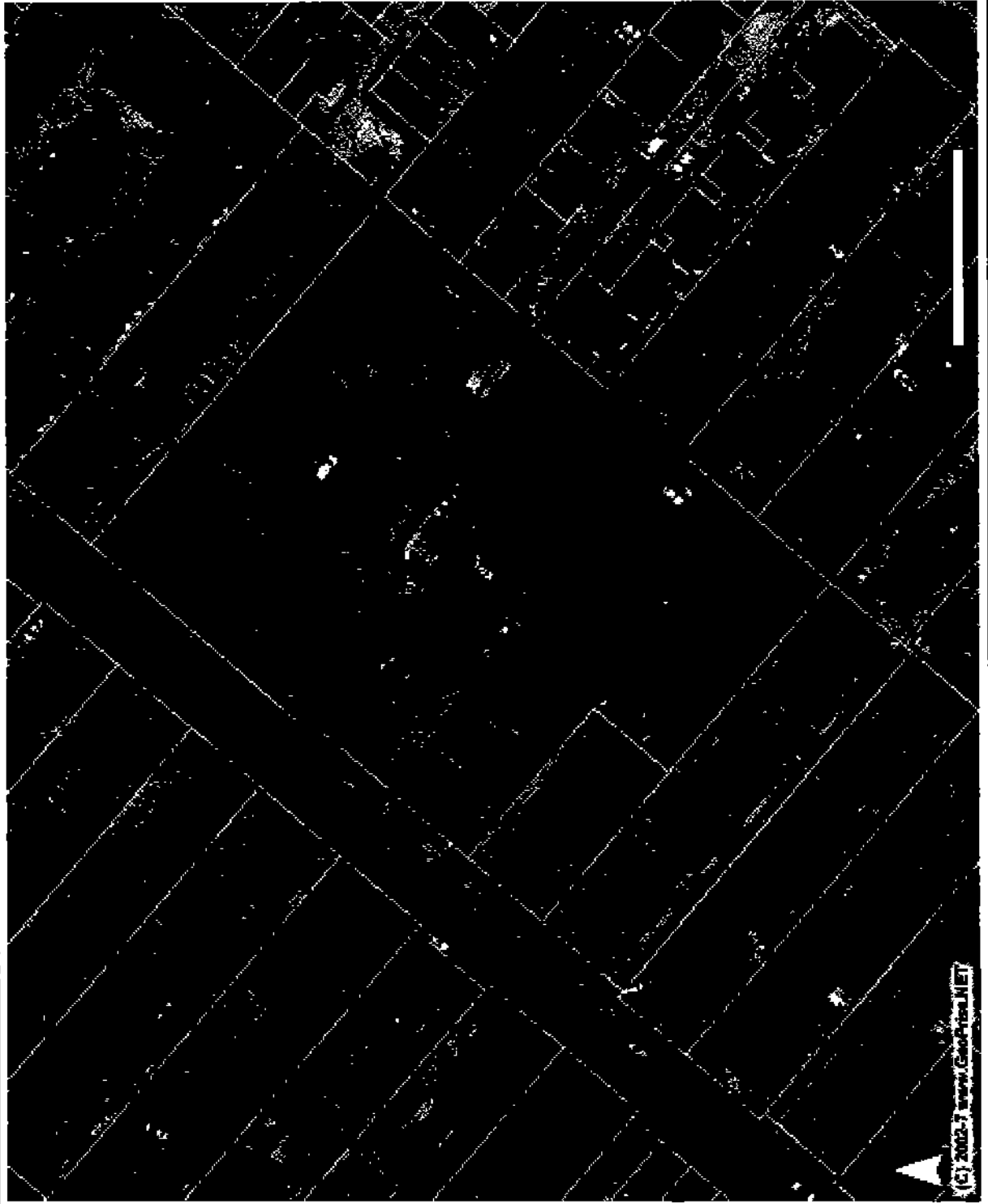
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Address Medium	Primary
Address Points	SECONDARY
Freeway	RV
Roads	Waterway
Collector	Lines
Freeway	Hydrology
Major	SW
Newport BLVD (cont)	Channels
	Street Names

**Overview Map**



**Map Display**



**Legend**

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|----------------|--------------------------|
| Address Medium | SECONDARY Waterway Lines |
| Address Points | Hydrology Channels       |
| Freeway Roads  | Street Names             |
| Collector      |                          |
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## THE DISNEY FACT

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BASIS OF REARINGS

THE REARINGS SHOWN HEREON ARE BASED ON THE REARINGS  
 BETWEEN D.C.A. HORIZONTAL CONTROL STATIONS NO. 1104 AND  
 NO. 1116, SAO BEASMO BEING ADOPTED FOR REARINGS ON  
 ALL WITHIN THE BEASMO BEING SURVEYED.

**1251**

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STATION'S STATEMENT

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CITY OF COSTA MESA  
DEPARTMENT OF PUBLIC WORKS  
DEC 15 2006

**GURBA SURVEYING INC.**  
8 JIMMIE • SUITE 100  
MAYRIS, CALIFORNIA 94518  
(415) 772-4200 • FAX (415) 772-4000  
EMAIL: [info@gurba.com](mailto:info@gurba.com)

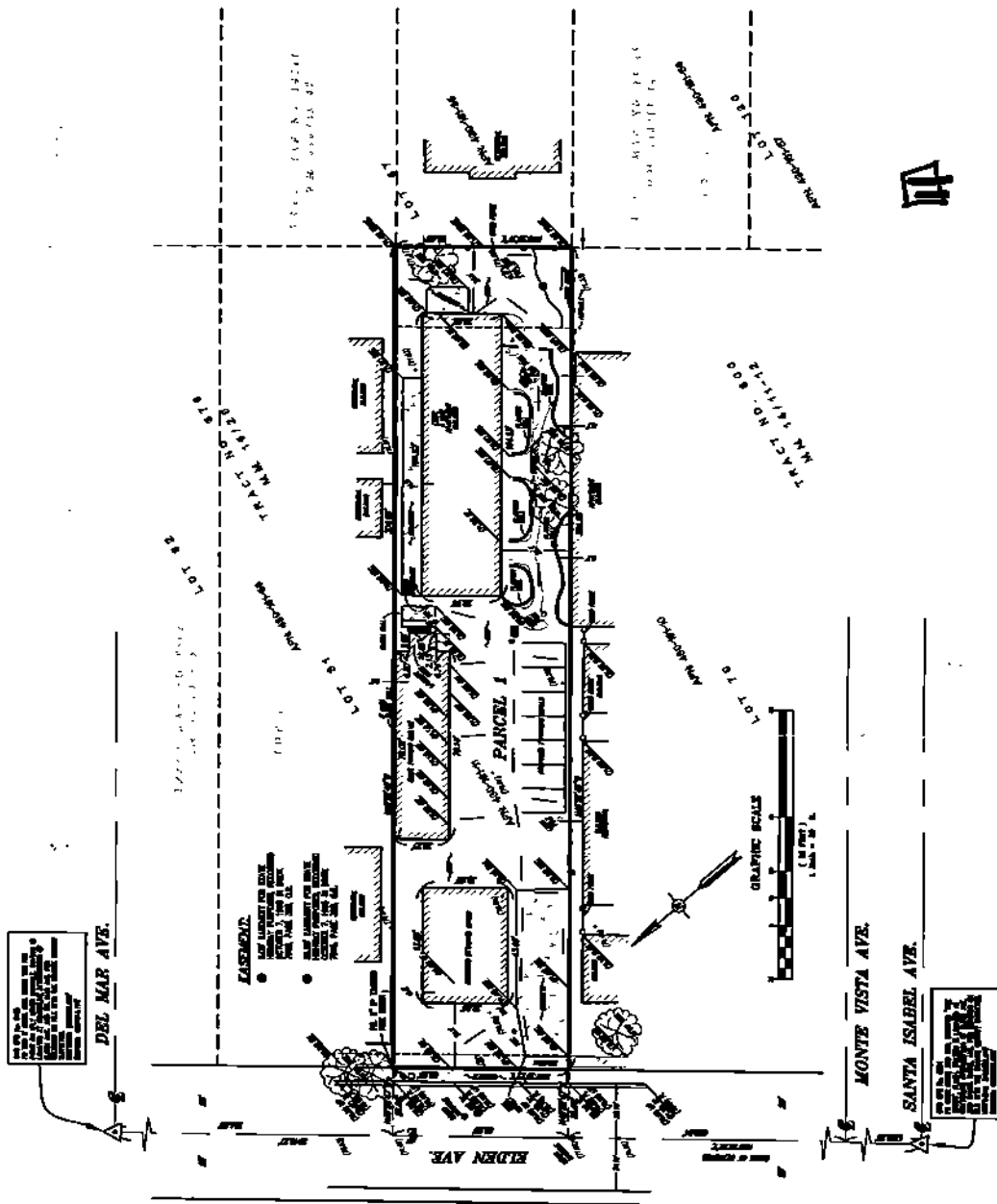


COSTA MESA, CALIFORNIA  
92626-1500

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# **CITY OF COSTA MESA**

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

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DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,  
PLEASE CONTACT THE PLANNING DIV. AT (714)754-5245.**